

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**ROSALINDA CHIRINO VELASQUEZ,**

**Plaintiff,**

**v.**

**KROGER TEXAS, L.P.,**

**Defendant.**

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**4:20-CV-358-SDJ-KPJ**

**MEMORANDUM OPINION AND ORDER**

Plaintiff Rosalinda Chirino Velasquez (“Plaintiff”) filed suit against Defendant Kroger Texas, L.P. (“Defendant”) on March 23, 2020, in the 367th Judicial District Court of Denton County, Texas, alleging a premises-liability claim. *See* Dkt. 1 at 2. On April 28, 2020, Defendant removed Plaintiff’s suit to the Eastern District of Texas, and the District Court ordered the parties to replead as necessary to comply with the Federal Rules of Civil Procedure and Local Rules. *See* Dkts. 1, 5. On May 19, 2020, Plaintiff filed an Amended Complaint. *See* Dkt. 7.

On June 11, 2020, the Court issued an Order Governing Proceedings (Dkt. 10), requiring Plaintiff and Defendant to participate in a Rule 26(f) attorney conference by June 25, 2020, and appear for a telephonic Rule 16 Management Conference on July 14, 2020. While Plaintiff participated in the Rule 26(f) attorney conference and filed a Joint Report and Proposed Discovery Plan (Dkt. 11) with Defendant, Plaintiff failed to appear for the parties Rule 16 Management Conference on July 14, 2020. *See* Dkt. 14. On July 15, 2020, the Court reset the parties’ Rule 16 Management Conference to July 30, 2020, and ordered Plaintiff’s counsel to file a status report explaining counsel’s failure to appear on July 14, 2020. *See* Dkt. 14. Plaintiff’s counsel failed to

file a status report with the Court and failed to appear at the reset Rule 16 Management Conference on July 30, 2020. *See* Minute Entry on July 30, 2020.

**IT IS THEREFORE ORDERED** that Plaintiff shall file a status report indicating why this matter should not be dismissed for want of prosecution **by August 13, 2020**. Failure to timely file a status report will result in dismissal. If dismissal of the suit is satisfactory to Plaintiff, no further action is necessary.

**So ORDERED and SIGNED** this 30th day of July, 2020.

A handwritten signature in black ink, appearing to read 'KLPJ', is written over a horizontal line.

KIMBERLY C. PRIEST JOHNSON  
UNITED STATES MAGISTRATE JUDGE